

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 3:25-cr-110-ECM
)	[WO]
RONALD ALLEN JONES)	

MEMORANDUM OPINION and ORDER

Now pending before the Court is the Defendant's motion to continue trial (doc. 44) filed on August 4, 2025. Jury selection and trial are presently set on the term of court commencing on August 25, 2025. For the reasons set forth below, the Court will grant a continuance of the trial pursuant to 18 U.S.C. § 3161(h)(1).

While the trial judge enjoys great discretion when determining whether to grant a continuance, the Court is limited by the requirements of the Speedy Trial Act. 18 U.S.C. § 3161; *United States v. Stitzer*, 785 F.2d 1506, 1516 (11th Cir. 1986). The Act provides in part:

In any case in which a plea of not guilty is entered, the trial of a defendant charged in an information or indictment with the commission of an offense shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs.

18 U.S.C. § 3161(c)(1).

The Act excludes, however, certain delays from the seventy-day period, including delays "resulting from any pretrial motion, from the filing of the motion through the

conclusion of the hearing on, or other prompt disposition of, such motion,” *id.* § 3161(h)(1)(D).

Counsel for the Defendant argues that a continuance is warranted because the Defendant’s motion to suppress (doc. 24) remains pending. The Court observes that, once the Magistrate Judge enters a Recommendation on the motion, the parties will have an opportunity to object, and this Court will need time to review the record before ruling on the motion. The Government does not oppose a continuance. The Court finds that the time period from the filing of the motion to suppress through the prompt disposition of that motion is excluded from the speedy trial period. *See* 18 U.S.C. § 3161(h)(1)(D).¹ Accordingly, and for good cause, it is

ORDERED that the motion to continue (doc. 44) is GRANTED to the extent that jury selection and trial are CONTINUED from August 25, 2025, to the criminal term of court set to commence on **November 3, 2025 at 10:00 a.m. in Opelika, Alabama**. All deadlines tied to the trial date are adjusted accordingly.

The United States Magistrate Judge shall conduct a pretrial conference prior to the November trial term.

DONE this 5th day of August, 2025.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE

¹ Although the Defendant requests a continuance of thirty days, the Court doubts that will be sufficient time for the Magistrate Judge to enter her Recommendation, for the parties to lodge any objections, and for this Court to review the record and ultimately rule on the motion to suppress. Consequently, the Court will continue the trial to the next Eastern Division trial setting.